

# **Assistive Technology**

**Supervisors' Guide**

## **Implementation Guidelines**

**State Department of Education  
Division of Special Education  
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# **Assistive Technology Implementation Guidelines**

Rapid advances in assistive technology presents educators and service providers with the task of accessing information needed to make well-informed decisions about how to best use assistive devices. To address this issue in Tennessee, a task force was formed consisting of professionals from local school systems, the State Department of Education's Division of Special Education, representatives of the Tennessee Technology Access Project, and the Tennessee Protection and Advocacy organization. The task force met over the course of a year to explore options for providing information about assistive technology. Portions of these guidelines are products of the assistive technology task force.

## **Introduction**

Assistive technology (AT) has become a vital component of the educational programs of students with disabilities. It is widely accepted that adapted toys, switches, computers, amplification systems, wheelchairs, memory aids, magnifiers, augmentative communication devices, and other adapted devices improve a student's ability to learn, compete, work, and interact with others.

Understanding the applications of assistive technology is essential to effective educational planning for students. These guidelines are provided to offer information important to making case-by-case decisions as part of the student's Individualized Education Plan (IEP).

## **Federal Laws**

### **Individuals with Disabilities Education Act (IDEA)**

The Individuals with Disabilities Education Act, reauthorized in June 1997, increases emphasis on assistive technology to ensure that a student with a disability receives a free, appropriate, public education (FAPE). The federal definitions of assistive technology devices and services are:

**Assistive Technology Devices** - any item, piece of equipment, or product, or system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities.

**Assistive Technology Services** - any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device including evaluation, purchase or lease of a device, coordination and use of other therapies, intervention, or services with assistive technology devices, training or technical assistance and/or the child's family, and training or technical assistance for professionals, employers, or other individuals who are substantially involved in the major life functions of an individual with a disability. Services also include selecting, designing, fitting, customizing, adapting, applying, retaining, repairing or replacing assistive technology devices.

Significant changes in the reauthorized IDEA include:

- ◆ The role and responsibilities of the parents of a child with a disability are emphasized. Parents are expected to be full participants in planning the child's education program and in facilitating its implementation.
- ◆ Every child's IEP team must show that assistive technology was considered as a routine part of the IEP planning process.
- ◆ When it is determined that assistive technology services and/or devices are needed the IEP must contain a statement of the special and/or related services and/or supplementary aids and services to be provided the child, or on behalf of the child. There must also be a statement of the program modifications or supports that will be provided for the child so that the child can advance appropriately toward attaining the annual IEP goals and be involved in and make progress in the general curriculum.
- ◆ The definition of transition services emphasizing the inclusion of assistive technology (AT) was amended to add related services to the types of services to be provided.
- ◆ The IEP must include transition service needs relating to a student's course of study beginning at age 14. Beginning at age 16, actual transition services should include appropriate interagency responsibilities (e.g., Vocational Rehabilitation, TennCare).
- ◆ If the IEP team determines that a particular type of assistive device is required for home use in order for the child to be provided a free, appropriate, public, education, the device must be provided to assist the child in progressing toward the IEP goals.
- ◆ The IEP is a binding commitment between the local school system, the child with a disability, and the child's parents. Whatever is determined to be needed for the child to enable him/her to advance appropriately toward attaining the annual IEP goals and progress in the general curriculum should appear in the child's IEP.

### **The Vocational Rehabilitation Act: Section 504**

Section 504 requires that general education programs (i.e., school systems) provide nondiscriminatory access to school programs by all students with disabilities. A student is not required to be eligible to receive special education services under IDEA in order to be served under Section 504.

Each school system is required to appoint a coordinator for 504 matters. A student who is not eligible for special education services should be referred to the 504 committee. The 504 committee will meet at the school to determine eligibility and recommend services. The 504 review committee will convene and specify the agreed-upon services, in a document called Student Services Agreement.

### **Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities in areas of employment, public services, public accommodations, transportation, and communication. Provision of auxiliary aids and services by public agencies includes qualified interpreters, note takers, transcription services, written materials, assistive listening devices, TDDs, videotext displays, or other effective methods of making verbally delivered materials available to individuals with hearing impairment. Similarly, qualified readers, taped tests, audio recordings,

large print, Braille materials, or other effective methods of making visually delivered materials available to individuals with visual impairments are included in the definition of auxiliary aids and services.

### **Assessing the Need for Assistive Technology**

The Individualized Education Plan Team (IEP Team) and the Individualized Family Service Plan Team (IFSP Team) are powerful tools for assisting educators, parents, and students in developing effective ways of incorporating assistive technology into the education program of a student with a disability. The following sections are intended to provide information about the process of accessing assistive technology services.

Assistive technology must be considered in the development of every IEP. The IEP team has the responsibility to determine the conditions for providing assistive technology services and devices. Those services and/or devices are specified within the IEP. Determinations by the IEP team may vary from the use of simple equipment in the regular classroom to the use of computers or complex augmentative communication devices.

A child with a disability may require an assistive technology evaluation. The AT assessment team should be multidisciplinary and involve educators, parents, and therapists, who are knowledgeable about the school curriculum, particular types of impairments of the student, and assistive technology. For example, evaluation of a student with cerebral palsy might involve a teacher, a physical therapist, an occupational therapist, a speech and language pathologist, and the parents or care-giver(s).

Participation by parents is essential to successful educational program planning. Parents must be members of the evaluation team as well as the IEP Team. Parents may have insight into what has worked effectively in the past, and they can often make suggestions about adaptive devices the child responds to and will use.

Contracted services may be arranged by the local school system to provide information needed to complete the evaluation and the IEP. School districts often utilize persons with expertise to increase the knowledge base of teachers who will be working with students using assistive technology.

### **Including Assistive Technology in the IEP**

The inclusion of assistive technology in the IEP requires an explanation of how and why the technology will be used to accomplish a particular goal. There are three places in the IEP where assistive technology may be included. These places are, (a) the annual goal and short-term objectives/benchmarks section, (b) the list of supplementary aids and services necessary to maintain the student in the least restrictive educational setting, or (c) the list of related services necessary for the student to benefit from his or her education.

Quality assistive technology assessments depend on active participation and input of all members of the assessment team. The composition of the AT assessment team varies according to the needs, skills, and disabilities of the student. Some standard members of the assessment team are, the

student, when appropriate, the parent(s) and/or primary caregiver(s), teacher(s), persons who are knowledgeable about assistive technology.

Professionals who specialize in certain areas of disability, who may be included, bring their knowledge to the Assessment Team: Examples are, Occupational Therapist, Physical Therapist, Vision Specialist, and Hearing Specialist. (This list is not exhaustive.)

Assistive technology is a related service, and the IDEA regulations require that the appropriate related service(s) be made available to all children and youth with disabilities who require them. Other related services that may be utilized to impact the child's educational program. Some of them are shown below. This list is not exhaustive.

Audiology, Occupational Therapy, Physical Therapy, Psychological Services, Medical Services for Diagnostic or Evaluation Purposes only, School Health Services, Special Transportation Services, Counseling Services, Speech-Language Services, Social Services, Parent Training, Recreation Therapy, Early Identification and Assessment of Disabilities in Children. The list of related services may include other developmental, corrective, and support services.

Related services are provided to the student with a disability at no cost to the parent or guardian. For students to be successful with assistive technology devices, they need to receive training on the purpose and use of the equipment. Training on computer use, using an augmentative communication device, or using a large print viewer may be needed to assure the most effective use of the equipment.

### **Training for Teachers, Students, and Parents/Care-givers**

School personnel and family members need to be oriented to assistive technology. Other staff members including substitute teachers, paraprofessionals, drivers, lunchroom staff, custodians, other faculty members and administrators may not understand assistive technology nor its educational uses and benefits. All persons in the school environment should receive information about assistive technology.

Parents should be considered when planning in-service training in assistive technology. Training should provide information about assistive technology and thereby reduce anxiety and encourage the effective use of assistive technology.

### **Technical Assistance**

Staff members involved in using assistive technology with students need reliable sources of information to handle problems as they arise. Many manufacturers provide technical assistance on their products through local vendors and help lines. Establishing a relationship with local suppliers of technology, retired engineering groups and local AT centers can assist staff in getting technical assistance.

## **Purchasing Considerations**

Before purchasing an assistive technology device there are issues that should be considered that can reduce the need, at a later date, for school districts to fund repairs, secure loaner equipment, and/or to provide technical assistance.

**Warranty** - Read through the warranty to determine the length and coverage. One-year warranties are common, and service contracts are available. Contacting others who have purchased similar devices can guide the purchasing decision.

**Technical Support** - Vendors should be available locally to provide training, trouble shooting, and servicing of devices. Determine if the vendor will provide training to the student, family, and/or school staff as a part of the purchase agreement.

Ask for toll-free help-line numbers to answer questions about setup, repair, and maintenance. Contact others who have received services from the vendor.

**Owner's Manual** - Review the owner's manual of the device being considered. Determine if the manual is easy to understand and if it will be helpful in solving problems with the equipment. Check if the manual covers equipment, setup, solutions to common problems, special features, etc.

**Equipment Return Policy** - Understand the terms of the return policy. Meeting the terms of the return policy can save the district's resources when the equipment does not work out. Return policies vary and should be obtained in writing prior to purchase.

**Loaner Equipment** - Ask the manufacturer or vendor if they will provide a device on loan while repair or maintenance is being done. Having equipment for loan is essential if the repair is going to take an extended period of time. Some companies promise prompt return of the equipment instead of providing loaner equipment.

## **Funding Assistive Technology**

### **Individuals with Disabilities Education Act (IDEA)**

IDEA makes assistive technology devices and services available to children with disabilities as part of special education programming. The law is divided into two parts: Part B pertains to children and youth ages 3-21, and Part C pertains to children under age 3 and is known as Early Intervention Services. Assistive technology services and devices that are specified in the child's IEP must be provided. The local school system has the primary responsibility for funding the costs of required service and devices.

The local school system may not require the parents of a child with a disability to use the family's health insurance to fund assistive technology devices. However the local school system may ask the parents to explore the possibility of funding of a device by their health insurance if the deductible is

not reduced by the purchase, and/or the parents are not required to pay extra premiums or any other expenses.

The Federal Office of Special Education has stated that local school systems are not liable for supplying hearing aids and/or eyeglasses if needed by the child if he/she were not in school. However, if either or both are needed for the provision of a Free Appropriate Public Education for the child with a disability, the local school system is responsible for purchasing and maintaining the device(s). These decisions are to be made on an individual, case-by-case basis. Attention must be given to the application of any assistive technology device as to whether it promotes the attainment of goals specified in the IEP and assists the child in making progress in the regular curriculum.

The local school system is responsible for repairing and/or replacing system-owned AT devices that get damaged. Repair of family owned devices is the responsibility of the local school system if the IEP Team decides that the device is essential to reaching the goals in the IEP.

It is important for local school systems to have more than one or a similar device since repair of an AT device may require an extended period. The rules require that FAPE be delivered continuously. A period of time when the service is not being delivered due to repair violates the rules and puts the local school system at risk for litigation.

### **TennCare (Medicaid)**

TennCare is often a source for purchase of assistive devices for eligible families. TennCare is a state-run, medical assistance program for eligible, low-income persons. The Federal government pays a portion (70% in Tennessee) of each state's medical assistance payments. This money is used to reimburse providers for covered medical equipment, services, and supplies.

"Covered services" refers to services that are mentioned in the law such as physical therapy, durable medical equipment, and prosthetic devices. The Early Periodic Screening Diagnosis and Treatment (EPSDT) program is a required part of each state's Medicaid (TennCare) program. It enables children below age 21 to have available to them all the assistive technology that TennCare will cover under any service. In the case of a TennCare eligible child with a disability, state Medicaid agencies are responsible for covering assistive devices and related services identified in the child's IEP (1) if those services are covered under TennCare and (2) if an agreement between the school system and TennCare exists.

### **Rehabilitation Act of 1973**

The Rehabilitation Act is designed to assist a person with a disability to enter or return to gainful employment. Although vocational rehabilitation is typically associated with adults, students who are age 16 and over are also eligible to receive vocational rehabilitation services in school and as they make the transition from the school to the community work force. At this stage, assistive technology services can provide the accommodations a person may need to perform a specific job.

## **Transition:**

**A "coordinated set of activities for a student with a disability that...is based on the individual student's needs, taking into account the student's preferences and interests."**

### **IDEA 34 CFR § 300.29 (a)(2)**

Local school districts must begin developing transition plans for students with disabilities at age 14 or earlier if the IEP team deems it appropriate. Transition plans must be developed for students with IEPs at age 16. The mandated transition plans (age 16 and older) must contain outcome statements and statements of Transition Service Needs.

Implementation and planning for students with disabilities may also include assistive technology devices and services as they pertain to vocational options, arrangements for living independently in the community, and pursuing further academic and vocational training. The school, various adult service agencies and programs, parents and guardians, and the student may be involved at any one time during transition plan development. Assistive technology can enable some students to move directly into post-school employment, community living activities, and post-secondary educational programs.

## **Planning Process for Transition**

The Transition Plan, which is an integral part of the IEP, may address the student's needs in relation to the following services:

- ◆ Instruction related services, community experiences, vocational evaluations, development of employment objectives, acquisition of daily living skills, and post-school living objectives,
- ◆ The goals and benchmarks/objectives related to transition specify the supports and services necessary to achieve goals, and include descriptions of the assistive technology needed to accomplish them,
- ◆ When considering transition goals that are likely to involve work or community experiences, additional emphasis is placed on the need for assistive technology. During the Transition Plan/IEP process, the team may ask questions that clarify when and where assistive technology is needed:
  - ◆ Is the assistive technology needed in the environment?
  - ◆ Is there a need to modify the assistive device?
  - ◆ How long will the student be in the environment and for what purpose?
  - ◆ How long is the term for exploratory work experience?
  - ◆ Are there transportation issues if the assistive device is to be used in school and community?
  - ◆ Are there additional funding sources available for the assistive technology (e.g., residential or post-secondary training)?



## **The Tennessee Assistive Technology Network**

The Division of Special Education began partial funding of a Pilot Assistive Technology service center in the Jackson/Madison County School System in 1996. That center serves the Madison County area as well as providing training and consultation to surrounding counties.

In 1999, the Division of Special Education launched a network of Assistive Technology service centers in areas of the state that lacked exposure to Assistive Technology. As of 2001 there are eleven state supported Assistive Technology Service Centers. These new centers follow the model of the Jackson/Madison County center. Each AT center serves the region that immediately surrounds their site.

Contact information for the Assistive Technology Service Centers:

**Dr. Sandra Cooley-Nichols, Director**  
**Mid-South Access Center for Technology**  
**University of Memphis**  
**406 Education Bldg.**  
**Memphis, TN 38152**  
**901-678-2365**

**Trenton Area Assistive Technology**  
**Center**  
**Attn: Betty Green**  
**247 Loop Road**  
**Trenton, TN 38382**  
**731-855-1191**

**Diane Hale, Director**  
**Assistive Technology Lab**  
**1341 North Parkway**  
**Jackson, TN 38305**  
**731-423-8412**

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**Ruth Cardwell / Amy Baugh**  
**Wilson County Assit. Tech. Center**  
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**Virginia Ely, Director**  
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**931-526-9777**

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The Division of Special Education brought specialized training to the state in 1999 and 2000. The Assistive Technology Applications Certification Program was provided by the Center on Disabilities at California State University at Northridge. Approximately one hundred Assistive Technology practitioners successfully completed the training.

The Division of Special Education intends to provide a wide range of training opportunities to persons interested in the area of Assistive Technology:

- ◆ Conduct specialized institutes emphasizing in-depth assistive technology applications
- ◆ Promote the development of LEA and university based assistive technology centers.
- ◆ Provide direction to the development of a statewide network of assistive technology service providers.

Tennessee Assistive Technology Network Activities:

- ◆ Consultation among existing and emerging AT Service Centers,
- ◆ Identify Assistive Technology school system contact persons in every Tennessee LEA
- ◆ Identify Assistive Technology contact persons in every school in the state,
- ◆ Identify resource materials for building level AT contact persons,
- ◆ Create avenues for sharing Assistive Technology information, and
- ◆ Support the creation of new Assistive Technology service centers in under-served areas.

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